

# ...With Professional Excellence



Read and answer the questions below.

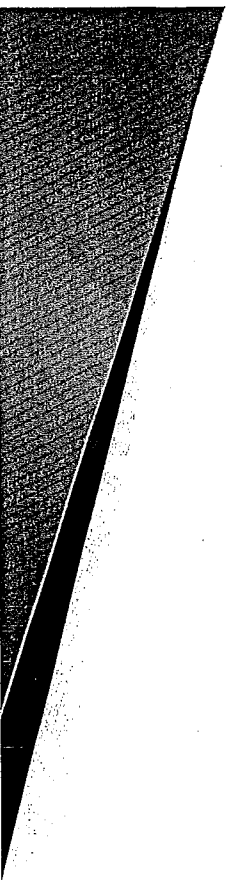
1. Do you see yourself as an "ambassador of the court? You are, indeed, the first contact for most court customers.	Yes	No
2. As an "ambassador," does your interaction with customers model the belief that all court customers, represented or not, are provided access to equal justice in the courts?	Yes	No
3. Do you sometimes go out of your way to assist a customer when it may not be the most convenient?	Yes	No
4. If you were on the other side of the counter, as the customer, would you rate your service as "above average"?	Yes	No
5. Do you feel that you have adequate resources readily available to provide excellent service to your customers?	Yes	No

If you answered "NO" to any of the questions above, it is time to reflect on how you can improve the level of service provided to your customers.



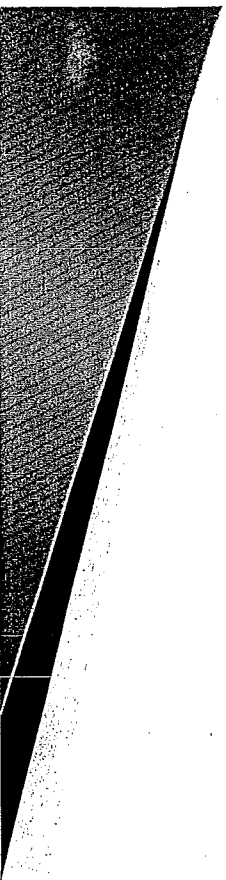
# Ok, here's what *we can do*...

- ❖ **We can** provide you with a telephone number of local lawyer referral services.
- ❖ **We can** explain and answer questions about how the court works.
- ❖ **We can** provide you general information about court rules, procedures and practices.
- ❖ **We can** provide you information from your case file.
- ❖ **We can** provide a copy of the small claims manual and court forms that are available and instructions on how to complete them.
- ❖ **We can** review your papers for completeness by checking for signatures, notarization, correct county name, and correct case number.

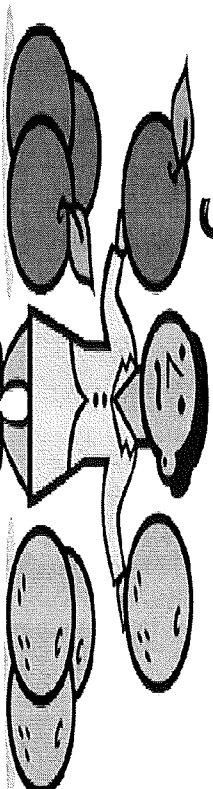


# and here's what we cannot do!

- ❖ We cannot provide legal advice or legal interpretations. Only a lawyer can give you legal advice.
- ❖ We cannot advise you whether or not you should bring your case to court or give you an opinion about what will happen if you bring your case to court.
- ❖ We cannot advise you what to say in court.
- ❖ We cannot let you talk to the judge outside court or talk to the judge for you about what will happen in your case.
- ❖ We cannot fill out a form for you or tell you what words to use in your court papers.
- ❖ We cannot sign an order or change an order signed by the judge.



# Distinguishing one from the other

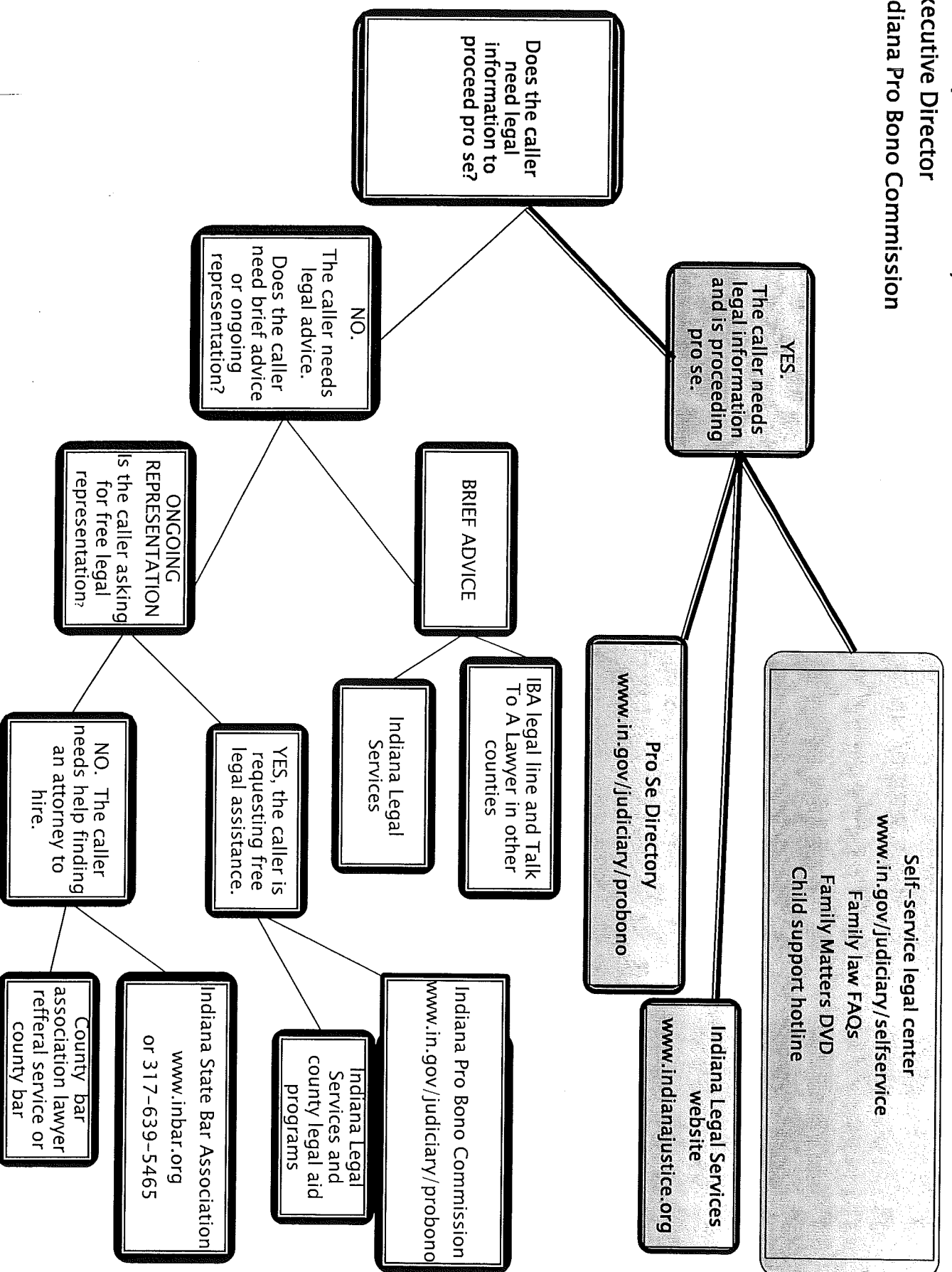


- ▶ *Legal Information*...is a written or oral statement that describes and explains court procedures, the law, legal terminology and options available to court users without interpretation, reference or application to a specific, actual or potential case or situation. Generally, questions seeking legal information start with words like “who”, “what”, “when”, “where”, or “how.” Also seeks facts about the law or legal process.

- ▶ *Legal Advice*...is a written or oral statement that applies or interprets the law as it relates to an actual or potential case or situation and /or recommends a specific course of action for the case or situation. Generally, questions seeking legal advice contain the words “should I” or “whether,” or asks for an opinion about what a litigant should do.











## Resources for Self Represented Litigants (as of 7/3/12)

Indiana Code: <http://www.in.gov/legislative/ic/code/>

Rules of Court: <http://www.in.gov/judiciary/rules/> Through this link, you will find rules of procedure of the courts, including the Indiana Rules of Trial Procedure, Small Claims rules, Probate, and many more.

Parenting Time: <http://www.in.gov/judiciary/rules/parenting/index.html> This is the link to the Indiana Parenting Time Guidelines. The guidelines can be downloaded from this site in Word or Adobe format. The guidelines do contain some commentary to help provide additional explanations or guidance. Court staff cannot interpret the rules or provide any explanation beyond what is in the commentary.

### Child Support:

Indiana Child Support Guidelines: [http://www.in.gov/judiciary/rules/child\\_support/index.html](http://www.in.gov/judiciary/rules/child_support/index.html)

Online Child Support Calculator: <http://www.in.gov/judiciary/2625.htm> People can use this site to complete a child support worksheet. It is very user friendly; they answer questions and the forms are automatically generated.

### Helpful Websites:

<http://indybar.org/community/legal-advice/>: Provides information on various free and paid legal advice programs offered through the Indianapolis Bar Association, including Ask A Lawyer, Low Asset Wills Program, Legal Line, Bankruptcy Help Line, and Legal Advice Hotline.

<http://www.in.gov/judiciary/probono/attorneys/provider/index.html>: On this site, you can access the map for the pro bono districts in Indiana. By selecting a district, callers can find a list of legal service providers in their area. Please note that to qualify for most pro bono programs, a person's income must be at or below 125% of the federal poverty level. Some programs may also have "modest means" programs which can serve people with incomes up to 175% of the federal poverty level.

<http://www.in.gov/judiciary/selfservice>: This is the Indiana Supreme Court site that provides information, forms and resources on a limited number of legal issues (mostly family law related). There are links to other self help resources, including a listing of Indiana courts that have resources for small claims filings.

[www.indianajustice.org](http://www.indianajustice.org) : This is the site for Indiana Legal Services. This site provides a fairly comprehensive library of information on a wide range of legal topics. It also provides a listing of legal services agencies that is searchable by county or by city. Indiana Legal Services provides free legal services to low income and elderly (over age 60) individuals in the areas of public benefits, family law,

bankruptcy, senior law, housing issues, and immigration. The website lists contact information and intake hours for each of the organization's offices across the state.

<http://www.in.gov/judiciary/public>: This page on the Indiana Supreme court website offers a variety of information and resources on issues including how to find a mediator, links for self representation, a guide on legal terminology, on line docket searches, and more. There are also links to the Appellate Court and Tax Court pro se guidelines, the child support calculator and parenting time guidelines. You will also find links to information in Spanish, including portions of the Indiana Criminal Code.

<http://www.877gethope.org/> The Indiana Foreclosure Prevention Network provides homeowners with referrals to a certified foreclosure prevention specialist with a local nonprofit organization in their community. Also provides answers to frequently asked questions about the foreclosure process and provides a resource list. Hotline also available from 8am to 8pm every day, 1-877-GET-HOPE (1-877-438-4673).

<http://www.in.gov/judiciary/selfservice/2359.htm> This is an Indiana Supreme Court effort in collaboration with the Indiana Housing and Community Development Authority and legal service providers to help homeowners facing foreclosure. The court's website focuses on providing information to borrowers regarding their right to a settlement conference in a foreclosure case.

<http://www.in.gov/dcs/support.htm> Indiana Child Support Bureau. Contains information on how to establish paternity and collecting child support.

**Free Legal Assistance (primarily for clients at or below 125% of federal poverty level, in some limited cases up to 200%):**

**Outside Marion and contiguous counties:**

<http://www.in.gov/judiciary/probono/attorneys/provider/index.html>: On this site, you can access the map for the pro bono districts in Indiana. By selecting a district, callers can find a list of legal service providers in their area. Please note that to qualify for most pro bono programs, a person's income must be at or below 125% of the federal poverty level. Some programs may also have "modest means" programs which can serve people with incomes up to 175% of the federal poverty level.

**More detailed information for Marion and contiguous counties:**

**Indiana Legal Services** - [www.indianajustice.org](http://www.indianajustice.org); 317-631-1410 or 800-869-0212. Provides free legal services to low income (at or below 125% of FPL, in some cases may go up to 200% FPL) and elderly (over age 60) individuals in the areas of public benefits, family law, bankruptcy, senior law, housing issues, and immigration. See website for contact information and intake hours for each of the organization's offices across the state.

**Indianapolis Legal Aid Society**-[www.indylas.org](http://www.indylas.org); 317-635-9538. By appointment (usually takes 1-3 days to get appt) and clients will meet with a lawyer at intake. If they qualify, they will find out that day and the lawyer they met with will be the lawyer who handles their case. Serves clients at or below 125% of

federal poverty level; also has modest means program that serves up to 175% of FPL. Service areas: family law (including guardianship & adoption), bankruptcy, housing, property, debt, and other miscellaneous civil issues. They do NOT take: criminal cases, immigration, fee-generating cases (e.g., personal injury.)

**Neighborhood Christian Legal Clinic**-[www.nclegalclinic.org](http://www.nclegalclinic.org); 317-429-4131. Walk-in client intake on a first come-first serve basis at various locations (see website for schedule.) Spanish interpretation is available at all intake locations. Serves clients at or below 125% of poverty level. Services areas: housing, immigration, tax, consumer/bankruptcy, landlord-tenant, guardianship, child support, some child custody, housing, wills/estates, SSI/SSD, discrimination, other civil. They do NOT take: divorce. Other services: Housing counseling, low income taxpayer clinic, immigrants in crisis program, preventive legal education, and pro se family law facilitation program.

#### **Indianapolis Bar Association:**

**Legal Line:** On the second Tuesday of every month, the Indianapolis Bar Association hosts the FREE "Legal Line" where individuals can call or come in to one of the designated locations and speak to a lawyer for free. Contact 317-269-2000 or go to <http://www.indybar.org/Public-Free-Legal.aspx>.

**Bankruptcy Legal Help Line:** On the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of every month from 12:00 p.m. to 1:00 p.m., individuals can call the Indianapolis Bar Association for assistance. The phone number is 317-269-1910. <http://www.indybar.org/community/legal-advice/bankruptcy-help-line.php>.

**Low Asset Wills Program:** Qualified individuals (at or below 125% FPL) can meet privately with an attorney who will draft a last will & testament and advance directives for them. NOTE: The 2010 Low Asset Wills Program has concluded, but applications will be accepted for the next year's program early in 2011. Applications will be available at <http://indybar.org/community/legal-advice/low-asset-wills.php>.

**Ask A Lawyer:** One day community event held in cooperation with Indianapolis Marion County Public Library provides free legal advice from qualified licensed attorneys. For date and locations, see <http://indybar.org/community/legal-advice/ask-a-lawyer.php>.

**Heartland Pro Bono Council:** <http://www.heartlandprobono.org/index.html> Call the intake line at 317-614-5304 and leave a message. Intake attorney will return the call and to discuss the matter and determine eligibility. Serves clients at or below 125% FPL, modest means program (reduced fee program where clients pay no more than \$50/hour) serves up to 175% FPL. Waiting list for a volunteer attorney may be up to 6 months. Service areas: mainly family law, some other civil cases. Other programming: In Marion & Hamilton counties, Lawyers Helping Families Program helps eligible clients obtain attorney fees from the opposing party so the client can then hire an attorney.

**Pro Bono Protective Order Project:** <http://www.violenceresource.org/popabout.htm>; 317-327-6999, for Spanish call 317-327-4679. The Protective Order Pro Bono Project (POPBP), was created to match volunteer attorneys and law students with victims of domestic abuse. These teams interview, counsel and represent the victim at protection order hearings to help that victim obtain or enforce a protective

order. In addition to providing legal services, the Protective Order Project (POP) is staffed with court advocates to assist victims of family violence and/or stalking, in obtaining and enforcing orders of protection in Court 21. Our advocates can provide information on the procedures to file an order, and offer instruction on how to file criminal charges through the prosecutor's office when necessary. Additionally, advocates can offer referrals to various domestic violence support programs, assist in identifying other community resources, and work in collaboration with other social service agencies.

**Disability Legal Services of Indiana:** <http://www.disabilitylegalservicesindiana.org/default.htm>. 317-426-7733. Provides free and low cost legal services to children and adults with disabilities in Indiana. Services are free to clients at or below 150% FPL; clients above that level will be charged an hourly fee based on income. Service areas: primarily represents children with disabilities in education matters, also some guardianships and disability law compliance.

**MAI Legal Services:** <http://indianamuslims.org/index.php/services-/mai-legal-services>. 317-632-9411. Serves clients on a sliding scale based on income. Service areas: immigration, bankruptcy, family law, other civil and criminal matters.

### Informational Videos:

**For Marion County:** <http://www.indy.gov/eGov/Courts/Pages/home.aspx>. On this site you can access the link to view the Pro Se video that is informational about how to proceed pro se, and there is also a link to a video on jury service.

### Indiana Supreme Court videos:

*Family Matters: Choosing to Represent Yourself in Court*

<http://www.in.gov/judiciary/selfservice/2361.htm>.

A guide for self-represented litigants providing information about your responsibilities and the procedures you must follow if you choose to represent yourself. From this site you can easily select the information or scene you would like to view in the video, and see an overview of what is covered.

*Alternative Dispute Resolution: Real Dialogue. Real Answers.*

<http://www.in.gov/judiciary/webcast/adr.html>. This video series explains the process of Alternative Dispute Resolution (sometimes known as Mediation) to settle court cases in Indiana. Mediation is often an appropriate choice in settling family-related cases.

*Get Help Get Hope 2010: Mortgage Foreclosure Assistance.*

<http://www.in.gov/judiciary/webcast/gtgo.html>. Encouraging troubled Hoosier borrowers facing foreclosure to take advantage of the right to a settlement conference, the Indiana Foreclosure Prevention Network and Indiana Supreme Court have partnered to create a program explaining the settlement conference process, and how to seek help if facing foreclosure.

Other informational videos: <http://www.in.gov/judiciary/webcast/informational.html>

Court Case search (only for counties on Odyssey case management system):

Court Case Public Records Search: <http://mycase.in.gov/default.aspx>

## Additional Resources:

**Indiana Adult Protective Services:** 1-800-992-6978 (toll free in Indiana) or 1-800-545-7763, ext. 20135 (outside of Indiana)

**National Council for the Prevention of Elder Abuse:** [www.preventelderabuse.org](http://www.preventelderabuse.org)

[www.abanet.org/aging/resources/states/Indiana.html](http://www.abanet.org/aging/resources/states/Indiana.html): the law and aging guide is a comprehensive listing of the statewide resources available to help older persons with law related issues.

**KIDSLine (Child support):** To speak to a customer service representative regarding child support collection call 1-800-840-8757 Monday through Friday 7:00AM-6:00PM.

**Child abuse/neglect hotline:** To report suspected child abuse or neglect, call 1-800-800-5556 24 hours a day, 7 days a week.

**Living wills brochure:** The Indiana State Department of Health has a brochure, "Advance Directives: Your Right to Decide," that can be located at [www.in.gov/isdh/files/advanceddirectives.pdf](http://www.in.gov/isdh/files/advanceddirectives.pdf). The Indiana Living Will Act can be found at <http://www.in.gov/legislative/ic/code/title16/ar36/ch4.html>, where there are specific forms for a "living will declaration" and a "life-prolonging procedures declaration."

**Legal Term glossary:** <http://www.in.gov/judiciary/about/glossary.html>.

## Spanish Language Resources:

- Indiana Supreme Court website with Spanish links and resources:  
<http://www.in.gov/judiciary/selfservice/2363.htm>
- Parenting Time Guidelines: <http://www.in.gov/judiciary/espanol/custodia/>
- Child Support Guidelines: <http://www.in.gov/judiciary/espanol/reglas/index.html>
- Indiana Code (excerpts): <http://www.in.gov/judiciary/selfservice/2369.htm>
- Court Interpreters: <http://www.in.gov/judiciary/interpreter/registry.html>

**To File a Grievance Against a Judge:** The Indiana Supreme Court Commission on Judicial Qualifications- <http://www.in.gov/judiciary/jud-qual/filing.html>. Complaints must be in writing. Complaint form is on website.

**To File a Grievance Against an Attorney:** The Indiana Supreme Disciplinary Commission- <http://www.in.gov/judiciary/discipline/complaining.html>. Complaints must be in writing. Forms are available on website or by calling 317-232-1807.

## Appellate and Tax Court resources:

<http://www.in.gov/judiciary/cofc/pro-se-guide>

<http://www.in.gov/judiciary/about/16-taxappeals.html>

**Local Courts:** The following courts have self help information, particularly small claims-

Allen, Delaware, Hamilton, Hendricks, Howard, LaPorte, Marion, Marshall, Monroe, Porter, Tippecanoe, Wayne, Vanderburgh

### **Pro Se FAQs**

***I think I need a lawyer but I don't know where to turn. I don't have much money. Where should I look?***

For legal representation in your area, visit

<http://www.in.gov/judiciary/probono/attorneys/provider/index.html>. Click on your county for a list of legal services providers in your area. Please be advised most programs are designed to service people at or below 125% of the federal poverty level.

Some local attorney bar associations also provide what is called a "modest means" program, which is a list of attorneys who may be willing to take specific cases at a reduced fee if you meet certain income guidelines (usually at or below 175% of the federal poverty level.) For a list of local bar associations, go to the website of the Indiana State Bar Association at [www.inbar.org](http://www.inbar.org) and click on "Local Bars." Or call the state bar association at 317.639.5465. Not all bar associations offer this service.

***I would really like to talk with a lawyer about some basic legal questions. Is there someplace I can call?***

Yes. On the second Tuesday of each month between 6 and 8 pm, the Indianapolis Bar Association hosts the Legal Line and you can call 317.269.2000 and speak to a lawyer for free. For more information, you can contact the Bar Association at 317.269.2000, or go to <http://www.indybar.org/freelegal.cfm>. In addition, the IBA offers a telephone consultation program Monday through Friday, 8:30am-4:30pm. By dialing 317.269.2222, callers may request an immediate telephone consultation with an attorney who practices the type of law they need for only \$35. For this fee the caller receives a 20 minute consultation with an attorney member of the Indianapolis Bar Association. All you need is a major credit card and a phone.

If you live outside the Indianapolis area, you can contact your local bar association to find out if there is a similar program in your area. For a list of local bar associations, go to the website of the Indiana State Bar Association at [www.inbar.org](http://www.inbar.org) and click on "Local Bars," or call the state bar association at 317.639.5465. Not all bar associations offer this service.

***I need to draft a simple will and last testament. I don't have much money. Where should I look for help?***

In Marion County, the Indianapolis Bar Association has a program called the Low Asset Wills Program. An attorney will sit down with you and draft a will for you for free if you meet the income guidelines. For more information, visit: <http://www.indybar.org/Public-Free-Legal.aspx?id=187>.

If you live outside the Indianapolis area, you can contact your local bar association to find out if there is a similar program in your area. For a list of local bar associations, go to the website of

the Indiana State Bar Association at [www.inbar.org](http://www.inbar.org) and click on “Local Bars,” or call the state bar association at 317.639.5465. Not all bar associations offer this service.

**I have questions about bankruptcy. Is there someone who can help me?**

The Indianapolis Bar Association has a free program called the Bankruptcy Hot Line. Call 317.269.1910 on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of every month between noon and 1 p.m.

If you live outside the Indianapolis area, you can contact your local bar association to find out if there is a similar program in your area. For a list of local bar associations, go to the website of the Indiana State Bar Association at [www.inbar.org](http://www.inbar.org) and click on “Local Bars.” Or call the state bar association at 317.639.5465. Not all bar associations offer this service.

**I wish to change the name of a minor child. Do you have forms for that?**

Yes, you will find the forms at <http://www.in.gov/judiciary/selfservice>. Please be sure to make your selection of a form packet carefully, depending on whether or not the other parent must consent to the name change of the child. You do not need the assistance of an attorney to petition the court for a name change of a child, but before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney.

**I wish to file for legal separation. Do you have a form for that?**

Our website does not contain forms for a legal separation. You may file for a legal separation by contacting an attorney or by creating forms on your own. You may use the forms at <http://www.in.gov/judiciary/selfservice/forms/index.html> as a guide so that you can get a general idea of what your forms should look like. For the Indiana statute governing legal separation, see here: <http://www.in.gov/legislative/ic/code/title31/ar15/ch3.html>. Before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney.

**My spouse and I have separated and we live in different counties. Where do we file for divorce?**

There are residency requirements that have to be satisfied before you can file for divorce. You have to live in the state for a required amount of time and you also have to live in the county where you want to file for a required amount of time. The residency requirements can be found in the Indiana Code at <http://www.in.gov/legislative/ic/code/title31/ar15/ch2.html#IC31-15-2-6>. If neither you nor your spouse has satisfied the residency requirements, you will have to wait until you do before you can file for dissolution in that county.



**I would like to establish, change, or modify custody. Do you have a form for that?**

There are no forms on our site to establish, change or modify custody. Custody matters are very unique for each family and it is difficult to create a form that would satisfy the needs of everyone who needs one. If you are interested in bringing a custody issue before the court, you will have to contact an attorney or create a petition on your own. Custody cases can be very complicated and the consequences are serious, so you are strongly advised to seek the assistance of an attorney. Before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney. The Indiana statute governing custody can be found here: <http://www.in.gov/legislative/ic/code/title31/ar17/>.

***Are there forms on the website to lower or increase the amount of child support?***

Not exactly. There are forms on the site to *modify* child support. Whenever the court considers the issue of support, it takes into consideration all of the relevant information of both parents to calculate the appropriate amount of support. Just because one parent gets an increase in income, or loses a job, the court has to look at the income position of both parents, and there may not be an automatic reduction or increase in support. When support is modified, both parties should be prepared that the support could go up or down. All of Article 31-16 of the Indiana Code is devoted to establishing and collecting support. You should review this code section at <http://www.in.gov/legislative/ic/code/title31/ar16/index.html> and all of the related code sections that relate to support to better understand what laws apply. Before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney.

***Why can't court and clerk staff give legal advice?***

The Supreme Court desires to provide resources, information, and access to the legal system, but can only do so for the benefit of all individuals in the State neutrally, particularly through a resource like the Citizens Self Service website. Those individuals who access the site and inquire about legal information are given direction, like how to access the law or statute that may apply to their situation, which forms to use, or what source to access for direction, but legal analysis or strategy is left to the individual. It would be a conflict of interest for someone within the court to give legal advice, and then have that case potentially end up on the Court's docket.

***Which forms do I use if I want to get a divorce and we have assets, but no children?***

You can use the forms for “dissolution with children”, and disregard the questions and information that relate to children.

***My spouse and I agree on everything. How fast can we get our divorce over with?***

According to the statute, your divorce has to be properly served on your spouse, and then you have to wait sixty days before the court can grant your divorce. Once the sixty days have passed, you can either file the waiver of final hearing or request that the court set the date for the final hearing so that your divorce can be finalized.

***I would like to file for a guardianship, but I don't see the forms to do that.***

A guardianship is a unique custody relationship and it would be difficult to have a common form on our Self Service website that everyone could use. It is for that reason we do not have forms on our site. If you are interested in learning more about guardianships, you should consult the guidelines in the Indiana Code at <http://www.in.gov/legislative/ic/code>. Also you can visit the website of Indiana Legal Services, [www.indianajustice.org](http://www.indianajustice.org). Click on Legal Information and then click on Family Issues and then Guardianship. This also provides information on enrolling a child in school when you are not the custodial parent.

***I need to enroll a child in school but I don't have legal custody. What should I do?***

You can visit the website of Indiana Legal Services, [www.indianajustice.org](http://www.indianajustice.org). Click on Legal Information and then click on Family Issues and then Guardianship. This resource also provides information on enrolling a child in school when is living with someone other than the parent. In addition, the state Department of Education has instructions and forms (Form II) in English and Spanish that focus on enrollment in these situations. Visit <http://doe.in.gov/legal/> and click on Custodial Statement and Agreement Instructions and Form II.

***Can you look up my case and find my next court date?***

No. You will have to contact your local county clerk's office. There are some clerk's offices that have Internet access to the county case files and you should ask if your county has that service. The Supreme Court is providing an electronic case management service that allows public access to many court records over the Internet. To determine if your county is part of this network, visit [www.mycase.in.gov](http://www.mycase.in.gov) and use the drop down menu to look for your county. Other counties may use other on-line systems.

***I just had a baby and the father is not paying child support. What should I do?***

If you have not established paternity, you must do so before the court will enter a child support order. To start a paternity case or a child support enforcement case, call your county prosecutor's office. You can find a list of local offices at <http://www.in.gov/dcs/2427.htm>. There is a nonrefundable \$25.00 application fee that must be paid by money order before your

case is opened with that office. However, if you or your children are receiving TANF, Medicaid/Hoosier Healthwise, no fee will be charged for services.

***What should I do if my child's name is wrong on the birth certificate?***

Please contact the Corrections Section of the ISDH Vital Records office at 317.233.2700 and ask for instructions for correcting the information. If your changes cannot be made through their processes see Indiana Code 34-28-2-2 for information regarding name change of a minor child.

***Is there somewhere I can call about how to calculate child support?***

The Indiana Supreme Court provides a free online child support calculator at <http://mycourts.in.gov/csc/parents/>. You can also find the Indiana Child Support Guidelines online at [http://www.in.gov/judiciary/rules/child\\_support/](http://www.in.gov/judiciary/rules/child_support/).

***Is there a way that I can also check on the status of my child support case?***

Yes, if you have an established child support case that is being enforced by a county prosecutor's office, you should contact that office. You can find a list of local offices at <http://www.in.gov/dcs/2427.htm>. If you live in Marion County, you can call the Marion County Child Support IV-D hotline at 317-327-1800.

***What can I do if I suspect that a child is being abused or neglected?***

You can call the child abuse/neglect hotline 24 hours a day, 7 days a week, at 1-800-800-5556.

***How can I get a Guardian Ad Litem (GAL) or a Court Appointed Special Advocate (CASA) appointed or removed from a case?***

Only a judge can appoint or remove a GAL/CASA, so you should make the request in court. It is not in the authority of the Division of State Court Administration, DCS, or any other entity to appoint or remove a GAL/CASA.

***I have some questions about how to interpret the parenting time guidelines. Is there someone who can help?***

If you have an attorney, you need to call your attorney with questions regarding the Indiana Parenting Time Guidelines. You can find a copy of the guidelines online at <http://www.in.gov/judiciary/rules/parenting/index.html>. Court staff cannot provide legal advice or interpret the parenting time guidelines for you.

***I only need a lawyer to help me prepare one document. Is there someplace I can go for help?***

There are some attorneys who may work with you on one document or a limited number of legal documents. It is called "limited scope representation." You may wish to contact your local pro bono plan administrator who may be able to assist you in finding an attorney who can help you for free or at a reduced rate if you meet certain income guidelines (typically at or below 125% of the federal poverty level.) Follow this link:

<http://www.in.gov/judiciary/probono/attorneys/provider/index.html> and locate your district plan administrator and their contact information. You may also wish to contact your local bar association and ask about a "modest means program" for a list of attorneys who may be willing to take specific cases at a reduced fee if you meet certain income guidelines (typically at or below 175% of the federal poverty level.) For a list of local bar associations, go to the website of the Indiana State Bar Association at [www.inbar.org](http://www.inbar.org) and click on "Local Bars." Or call the state bar association at 317.639.5465. Not all bar associations offer a modest means program.

***I have been giving the custodial parent money for child support directly. Can I get a credit on my child support order (arrearage)?***

Indiana law requires that all payments for child support be made through the child support enforcement agency to be credited as child support and any other payments made directly to the custodial parent are considered gifts. In some instances, the court may allow for a credit or adjustment to a child support arrearage when it can be shown that the non custodial parent made support payments directly to the custodial parent, but that is an exception to the rule. If you would like the court to consider whether a credit should be given, you should gather all the proof you can that payments were made, and even an agreement by the custodial parent if possible. It is possible that the court could reject the evidence and order that the order of support including payments on the arrearage be satisfied and paid through the court, and payments made directly will not be acknowledged.

***I would like to complain about the judge in my case. What do I need to do?***

You should contact the Judicial Qualifications Commission for more information. If you have a complaint, they will be able to send you forms for you to complete to begin the process. If you would like more information, you should review the Commission website at [www.in.gov/judiciary/jud-qual](http://www.in.gov/judiciary/jud-qual).

***How do I go about changing my name?***

There is information on-line to assist you with your name change. If you go to [in.gov/judiciary](http://in.gov/judiciary) and click on the "Citizens" link on the right hand side, then to the "Self Service Legal Center" on the right hand side, at the bottom there will be a "Court Forms" link. This link will take you to a site where you can download a "Verified Petition to Name Change for an Adult", and/or fill the Petition in on-line and download it. The site also gives instructions on how to change your name pursuant to Indiana statute, Ind. Code 34-28-2-1. There are certain circumstances in which you cannot change your name, such as if you have been convicted of a felony in the last ten years. These exceptions are listed on the site with the Petition.

This address will take you directly to the instructional packet:  
<http://www.in.gov/judiciary/selfservice/forms/name-change.html>

Before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney. CTW 8.31.10

***What are the filing fees?***

The filing fees for divorce can vary around the state, and are commonly between \$150 and \$185. For the exact amount, you should contact your local clerk's office. For other matters the fees are approximately \$60-\$69 for small claims, \$136 for civil cases, and \$156 for estates. There may be additional fees for sheriff's service and other local charges, so be sure to verify the amounts with your local clerk's office.

***How do I go about getting my record expunged?***

There are no forms on our site to expunge a criminal record. However, you can contact an attorney or follow the guidelines at Indiana Code 35-38-5-1 to create your own petition and file it with the court where you were convicted. You will find the code section at <http://www.in.gov/legislative/ic/code>. Before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney.

***I would like to apply for a hardship license.***

There are no forms on our site to petition for a hardship license; however, you can contact an attorney or follow the guidelines detailed in the Indiana Code at 9-24-15-6.7 to create a petition on your own to file in your local county court. You will find the code section at [http://www.in.gov/legislative.ic.code](http://www.in.gov/legislative/ic/code). Before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney.

***Can I file for divorce if my spouse is in the military?***

Generally, if your spouse is in the military, you should consult with a private attorney about getting a divorce. There are laws that protect military personnel who are unavailable to appear in court or receive notice of the divorce proceedings. If your spouse is in the military, and is able to make necessary court appearances, then you may be able to proceed with the divorce and you can also use the divorce forms on the Supreme Court's self service website

(<http://www.in.gov/judiciary/selfservice>) if you decided to represent yourself. Before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney.

### **How do I establish visitation with my child(ren)?**

If paternity has been established, you can petition the courts for an order for parenting time. We do not have forms on our website, so you can either contact an attorney to represent you or create a petition on your own. For the Indiana statute governing custody and parenting time in paternity cases, see here: <http://www.in.gov/legislative/ic/code/title31/ar14/>. Before making the decision to represent yourself in court, please review the information on the Indiana Self-Service Legal Center (<http://www.in.gov/judiciary/selfservice/info.html>) to determine if self-representation is right for you and to find more information about the court process and what will be expected of you if you choose to go to court without an attorney.

If you and the other parent agree on parenting time, you can file an agreed petition to establish parenting time. Being in agreement may significantly shorten the time that you would have to wait for a hearing for the court to approve an order. If you are in agreement about parenting time, you should both sign the petition when it is filed.

If paternity has not been established, you must establish paternity before parenting time can be established. For more information on establishing paternity, go here: [http://www.in.gov/dcs/files/establish\\_paternity\\_8-31-10.pdf](http://www.in.gov/dcs/files/establish_paternity_8-31-10.pdf).

### ***I am interested in filing for emancipation. Where do I begin?***

If you are interested in filing for emancipation, you may wish to consider using the forms on our self service website. You will find the forms at [www.in.gov/judiciary/selfservice](http://www.in.gov/judiciary/selfservice). There are different sets of forms to use so be sure to review them carefully. You should also refer to the Indiana Code where you will find the factors for emancipation. These are the same considerations the court must consider when reviewing a petition to emancipate, so you should be aware of them as well. The statute is Indiana Code 31-16-6-6. Be sure to review the related provisions cited in the statute as well. You will find the Indiana Code on the Supreme Court site at <http://www.in.gov/legislative/ic/code> or on the Internet.

### ***Why can't employees of the Court give legal advice or represent others?***

Employees of the Court may not give legal advice or represent others. There are many lawyers who practice employment law and some will take such a case on a contingency basis to recover fees from the employer. It takes time but you should make call to individual attorneys to try to find someone to represent you. Alternatively, you can always file suit yourself.

***I would like to file for divorce, but I do not have a good address for my spouse. What should I do?***

If you are not sure of the whereabouts of your spouse, you will have to consult the Indiana Rules of Trial Procedure for information on "service by publication." This is the method you may have to use to make a reasonable attempt to notify your spouse that a divorce action is pending. Using this process, you will have to contact an appropriate newspaper to publish the notice. Most newspapers are familiar with this process, so you should carefully follow the instructions they give. You will find the Indiana Rules of Trial Procedure at [http://www.in.gov/judiciary/rules/trial\\_proc/index.html](http://www.in.gov/judiciary/rules/trial_proc/index.html).

***I am interested in adoption. What do I need to do?***

Adoption can be complex or simple, depending on the ability of the appropriate parties to work together. You may find that the assistance of an attorney is helpful to be sure that all issues are covered. The statute on adoption can be found in the Indiana Code at 31-19-2 and there is also information on adoption through the state at <http://www.in.gov/ai/safety>. After your thorough research of what an adoption entails, you will have to decide for yourself if you can proceed on your own or not.